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**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS**

1. (Currently amended) An isolated nucleic acid which comprises [the] a sequence of [the] a promoter for [the] a gene for a lucerne PR protein linked to at least [the] a sequence of a gene encoding a stilbene synthase, wherein said nucleic acid comprises ~~SEQ. ID. NO. 3~~ comprises SEQ ID NO: 3.

2 – 8. (Cancelled)

9. (Previously presented) A plant expression vector comprising the nucleic acid of Claim 1.

10. (Cancelled).

11. (Previously presented) The plant expression vector according to Claim 9, wherein said vector is a plasmid.

12. (Previously presented) The plant expression vector according to Claim 9, wherein said vector can be transferred into *Agrobacterium* strains.

13. (Previously presented) The plant expression vector according to Claim 9, wherein said vector can be induced in plants by a biotic or abiotic stress

14. (Previously presented) The plant expression vector according to Claim 13, wherein said biotic stress is a parasite attack.

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15. (Previously presented) The plant expression vector according to Claim 14, wherein said parasite is selected from the group consisting of a bacterium, a yeast, a fungus and a virus.
16. (Previously presented) The plant expression vector according to Claim 14, wherein said parasite is *Botrytis cinerea* or *Plasmopora viticola*.
17. (Previously presented) The plant expression vector according to Claim 13, wherein said abiotic stress is a mechanical wound.
18. (Previously presented) The plant expression vector according to Claim 17, wherein said mechanical wound is caused by an insect.
19. (Previously presented) The plant expression vector according to Claim 17, wherein said mechanical wound is caused by wind or frost.
20. (Currently amended) ~~Plant cells~~ A plant cell transformed with the plant expression vector of Claim 9.
21. (Previously presented) The plant cell according to Claim 20 wherein said cell is a grapevine cell.
22. (Currently amended) A method for making ~~the a plant cell that expresses stilbene synthase of Claim 20, wherein a plant cell is transformed using an expression vector comprising:~~  
transforming a plant cell using an expression vector having SEQ ID NO: 1 operably linked to SEQ ID NO: 2.  
~~a promoter for a luciferase gene operably linked to a coding sequence of a stilbene synthase gene.~~

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23. (Currently amended) A method for making ~~the plant method for making plants a~~ plant that express stilbene synthase comprising:  
~~transforming plant cells~~ transforming a plant cell with the plant expression vector of Claim 9; and  
regenerating a transformed plants plant from said cell. ~~cells, wherein said plant~~  
~~plants express stilbene synthase.~~
24. (Previously presented) A transformed plant comprising the plant expression vector of Claim 9.
25. (Cancelled)
26. (Previously presented) A transformed plant made by the method of Claim 23.
- 27 – 29. (Cancelled)
30. (Previously presented) An isolated nucleic acid comprising SEQ. ID. NO.: 1.
31. (Previously presented) An isolated nucleic acid comprising SEQ. ID. NO.: 2.
- 32 – 33 (Cancelled)